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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ALLSTATE INSURANCE COMPANY,
ALLSTATE PROPERTY & CASUALTY
INSURANCE COMPANY, ALLSTATE
INDEMNITY COMPANY, and ALLSTATE
FIRE & CASUALTY INSURANCE
COMPANY,

Plaintiffs,

vs.

RUSSELL J. SHAH, M.D.; DIPTI R. SHAH,
M.D.; RUSSELL J. SHAH, MD, LTD.; DIPTI
R. SHAH, MD, LTD.; and RADAR MEDICAL
GROUP, LLP dba UNIVERSITY URGENT
CARE, Does 1-100, and ROES 101-200,

Defendants.

AND RELATED CLAIMS.

Case No. 2:15-cv-01786-APG-DJA

**STIPULATION AND ORDER TO
EXTEND DEADLINE TO FILE
DISPOSITIVE MOTIONS**

(Twentieth Request)

Defendants and Counterclaimant Russell J. Shah, M.D., Dipti R. Shah M.D., Russell J. Shah, MD, Ltd., Dipti R. Shah, MD, Ltd., and Radar Medical Group, LLP d/b/a University Urgent Care (collectively, the “Radar Parties”) and Plaintiffs/Counterdefendants Allstate Insurance Company, Allstate Property & Casualty Insurance Company, Allstate Indemnity Company, and Allstate Fire & Casualty Insurance Company (collectively, the “Allstate Parties”), by and through their respective attorneys of record, stipulate and agree as follows:

1. On June 9, 2022, the Court entered an Order [ECF No. 435] approving a Stipulation [ECF No. 434] authorizing the Radar Parties to take the Fed. R. Civ. P. 30(b)(6) deposition of the Allstate Parties concerning the Counterclaims outside the close of discovery.

2. Following several telephonic meet and confers concerning the topics listed under the Fed. R. Civ. P. 30(b)(6) deposition notice (the “Notice”), the parties agreed that certain prior testimony given by Carole LaDuke, in her individual capacity, on August 10, 2021, addressed the information sought by the Radar Parties through Topic No. 1 in the Notice. Accordingly, on October 27, 2022, the parties submitted a Stipulation and proposed Order [ECF No. 451] identifying those portions of Ms. LaDuke’s testimony that will be binding upon the Allstate Parties as if Ms. LaDuke had appeared and testified in her capacity as a Fed. R. Civ. P. 30(b)(6) designee for the Allstate Parties in response to Topic No. 1.

3. Further, the Allstate Parties identified Aaron Patterson and Patricia Downs to appear as Fed. R. Civ. P. 30(b)(6) designees for the Allstate Parties to testify with respect to the remaining topics listed in the Notice. Mr. Patterson’s deposition proceeded (via Zoom) on October 3, 2022, with regard to Topic Nos. 3-4, and Ms. Downs’ deposition proceeded (in person) on October 4, 2022, with regard to Topic No. 2.

4. Accordingly, the parties have completed all depositions in this case.

5. On August 15, 2022, the Court entered an Order [ECF No. 443] granting the Radar Parties’ Motion to Compel the Allstate Parties’ Responses to Disputed Discovery Requests [ECF No. 430] (the “August 15, 2022 Order”). In so doing, the Court ordered the Allstate Parties to respond to Request No. 3 in the Radar Parties’ Seventh Set of Requests for Production of Documents and Interrogatory Nos. 14 and 15 in Radar Medical Group’s Second Set of Interrogatories.

1 6. On August 29, 2022, the Allstate Parties filed their Partial Objection to the August
2 15, 2022 Order [ECF No. 444] (the “Partial Objection”). Specifically, the Allstate Parties objected
3 to the portion of the August 15, 2022 Order compelling them to respond to Interrogatory No. 14.

4 7. On September 26, 2022, the Radar Parties filed their Response to Plaintiff’s Partial
5 Objection [ECF No. 449].

6 8. On September 30, 2022, the Allstate Parties responded to Request No. 3 in
7 accordance with the August 15, 2022 Order by disclosing a spreadsheet, Bates stamped Allstate-
8 Supp Spsheet 000001-000008, containing responsive information.

9 9. On October 6, 2022, the Court entered an Order [ECF No. 450] denying the Allstate
10 Parties’ Partial Objection (the “October 6, 2022 Order”).

11 10. On October 17, 2022, the Allstate Parties responded to Interrogatory No. 15 in
12 accordance with the August 15, 2022 Order by disclosing a spreadsheet, Bates stamped Allstate-
13 Int15Supp.1 – AllstateInt15Supp.9, containing responsive information.

14 11. Consistent with the October 6, 2022 Order, the Allstate Parties are in the process of
15 preparing a spreadsheet containing information responsive to Interrogatory No. 14. The Allstate
16 Parties anticipate producing the spreadsheet by November 8, 2022.

17 12. Pursuant to Stipulation of the parties [ECF No. 447] and Order entered by the Court
18 [ECF No. 448], the parties presently have until November 18, 2022, to file dispositive motions.

19 13. Since then, one of the lead attorneys for the Allstate Parties unexpectedly had oral
20 arguments scheduled in two unrelated cases on November 3, 2022, and November 8, 2022, before
21 the California Court of Appeals.

22 14. Due to the number of issues and claimants involved in this case, the volume of
23 discovery that was completed (*see, e.g.*, Order [ECF No. 427] at 2:13-8:6), the parties having only
24 recently received the transcripts of the October 3-4, 2022 Fed. R. Civ. P. 30(b)(6) depositions of the
25 Allstate Parties involving the Counterclaims, the recent production of two additional spreadsheets by
26 the Allstate Parties in accordance with the August 15, 2022 Order, the upcoming production of
27 another spreadsheet by the Allstate Parties containing information responsive to Interrogatory No. 14
28 in accordance with the October 6, 2022 Order, and scheduling conflicts for counsel, good cause

exists to extend the deadline for the parties to file dispositive motions by 28 days, until December 16, 2022.

15. The parties do not anticipate any further extensions to the deadline to file dispositive motions.

16. This stipulation is made in good faith and not to delay the proceedings.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED this 27th day of October, 2022.

DATED this 27th day of October, 2022.

McCORMICK, BARSTOW, SHEPPARD,
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IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: 11/10/2022